

**UNITED STATES DISTRICT COURT**  
for the  
Southern District of Indiana

United States of America

v.

Antonio Martin

Case No: 1:01CR00048-002

USM No: 06258-089

Date of Original Judgment: 02/01/2002

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

None

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

(Complete Parts I and II of Page 2 when motion is granted)


Except as otherwise provided, all provisions of the judgment dated \_\_\_\_\_ shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 01/17/2012

Effective Date: \_\_\_\_\_ \*

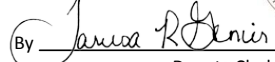
(if different from order date)



Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

**A CERTIFIED TRUE COPY**

Laura A. Briggs, Clerk  
U.S. District Court  
Southern District of Indiana

By   
Deputy Clerk

\* Unless otherwise indicated, the effective date of this order shall be ten (10) days after order date.

Addendum to Order Pursuant to 18 U.S.C. § 3582(c)

Cause No. 1:01CR00048-002

Defendant Antonio Martin

As directed by 18 U.S.C. § 3582(c)(2), the Court has considered the relevant factors in U.S.S.G. § 1B1.10(b) and 18 U.S.C. § 3553(a), and determined a sentence reduction is not appropriate for the following reason(s):

- ☒ 1) The defendant is not eligible for a reduction because the amendments listed in subsection (c) of U.S.S.G. § 1B1.10 are not applicable to the defendant.
- ☐ 2) The amendment is listed in subsection (c) of U.S.S.G. § 1B1.10 and is applicable to the defendant, but it does not have the effect of lowering the defendant's applicable guideline range (e.g. a statutory mandatory minimum term of imprisonment, binding plea agreement, career offender status).
- ☐ 3) The defendant is eligible for a reduction under this amendment, but the Court has determined such a reduction is not appropriate because of the nature and seriousness of the danger to any person or the community that may be posed by a reduction in sentence. (Application Note 1(B) of U.S.S.G. § 1B1.10.)
- ☐ 4) The defendant is eligible for a reduction under this amendment. However, the Court has determined the post-sentencing conduct demonstrates the defendant may pose a danger to any person or the community by a reduction in sentence. (Application Note 1(B) of U.S.S.G. § 1B1.10.)
- ☒ 5) Other: The Retroactive Crack Cocaine Amendment applies to cocaine base offenses.

The offense involved heroin and not cocaine base.

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